

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Debtor.

20-CV-1029 (JMF)

ORDER

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IRVING H. PICARD, *Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC, and
Bernard L. Madoff,*

Plaintiff,

-v-

RAR ENTREPRENEURIAL FUND, LTD.,


Defendant.
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JESSE M. FURMAN, United States District Judge:

Earlier today, the Second Circuit affirmed Judge Koeltl's award, in a nearly identical case, of prejudgment interest at the rate of 4% from the date of the filing of the complaint. *See Securities Investor Protection Corp. v. JABA Assocs. LP*, 528 F. Supp. 3d 219, 245-46 (S.D.N.Y. 2021), *aff'd sub nom. Picard v. JABA Assocs. LP*, Docket No. 21-872, slip op. at 31-34 (2d Cir. Sept. 20, 2022). In light of that decision, and substantially for the reasons stated in Judge Koeltl's opinion and the supplemental submissions of the Trustee, *see* ECF Nos. 141, 146, the Trustee's request for prejudgment interest from November 12, 2010, through the date of entry of judgment at the rate of 4% is GRANTED. The Trustee shall, after conferring with Defendant, promptly file a proposed Final Judgment consistent with this Order, the Court's prior rulings, and the jury's verdict of March 7, 2022.

SO ORDERED.

Dated: September 20, 2022
New York, New York



JESSE M. FURMAN
United States District Judge